

Docket No. 13282-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Clarke

Group Art Unit 1761

Serial No.: 09/858,190

Filing Date: May 15, 2001

Title: Packaging of Bananas

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DISCLOSURE UNDER 37 CFR 1.56

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In fulfilling the duty of candor and good faith, the documents listed on the attached PTO-1449 (two copies) are disclosed to the Office in accordance with 37 CFR § 1.56. It should be noted the word "prior" has been deleted from the attached PTO-1449. It is not admitted that the information in the listed documents is material to patentability as defined in 37 CFR § 1.56(b) or that the documents are analogous art. The Examiner is asked to consider these documents, and to confirm such consideration by returning an initialed and signed copy of the PTO-1449.

The U.S. Patent Documents, the Foreign Patent Documents, and the first of the Other Documents (Yahia) listed on the attached PTO-1449 were previously submitted to the Office as part of an Information Disclosure Statement complying with 37 CFR 1.98 (a) through (c) in prior application Serial No. 09/580,379 (which has since been converted into Provisional Application No. 60/325,782), which is relied on for an earlier effective filing date under 35 USC 120. Copies of those documents are not attached, because 37 CFR 1.98(d) states that copies of such document(s) need not be provided. A copy of each of the other listed documents is

CERTIFICATE OF MAILING UNDER 37 CFR 1.8

I hereby certify that this correspondence is being deposited with United States Postal Service with sufficient postage as first-class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231
On April 26, 2002

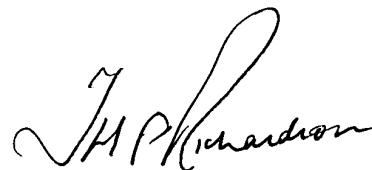
Typed name of person signing this certificate: T. H. P. Richardson
Signature

attached. Insofar as the attached document(s) has/have markings thereon, no significance is intended by such markings.

Applicant believes that because this Disclosure Statement is being submitted before the first Office Action on the merits, no fee is due. If this is incorrect, please charge any necessary fee for consideration of this Disclosure Statement to Deposit Account No. 19-2090 (Sheldon & Mak).

It is believed that this Disclosure complies with the requirements of 37 CFR 1.56 and the MPEP. If the some reason the Examiner thinks otherwise, he is asked to call the undersigned so that any deficiencies can be remedied.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read 'T.H.P. Richardson', written in black ink.

T.H.P. Richardson

Reg. No. 28,805

Tel. No. 650-854-6304

A simple, horizontal handwritten flourish or checkmark, drawn in black ink.

TRANSMITTAL SHEET AND FEE CALCULATION

Attorney Docket No.:	13282-1	First Named Inventor (a):	Clarke
Application No.:	09/858,190	Filing Date:	May 15, 2001
Examiner:	not yet known	Group Art Unit:	1761

This Transmittal Sheet is accompanied by

Disclosure under 37 CFR 1.56, including PTO-1449 (4 sheets, two copies) and copies of references as stated therein), and an Acknowledgement Postcard.

Fee Calculations It is believed that no fee is due.

	Applicable Fee	Fee Paid
(1) Filing fee	690/345	(\$)

(2) Extra claim fees

	No. in Specification or after Amendment	No. Included in Filing Fee or Previously Paid For	No. Extra (b)	Applicable Fee	Fee Paid
Total Claims		- 20 =		x 18/9 (ea)	
Independent Claims		- 3 =	1	x 78/39 (ea)	
Multiple dependent claim(s) presented for first time (c)			No	260/130	
Subtotal (2) Extra claim fees					(\$)

(3) Additional or other fees

	Fee Paid
Extension for Reply (1, 2, 3, 4 months: \$110/55, 380/190, 870/435, 1,360/680) month	
Surcharge for providing Declaration late (37 CFR 1.492 (e)) -- Small Entity	\$
Petition to Commissioner (\$130)	
Information Disclosure Statement (\$240)	
Subtotal (3) Additional or other fees	

Total Fees

Total Fees Submitted (Sum of Subtotals (1), (2), and (3))	\$
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Authorization to Charge Deposit Account for Fees

The Assistant Commissioner for Patents is hereby authorized to charge any fees required under 37 CFR §§ 1.16 and 1.17, and credit any overpayments to, the following deposit account.

Deposit Account No: **19-2090**

Deposit Account Name: **Sheldon & Mak**

CERTIFICATE OF MAILING (37 CFR 1.8)

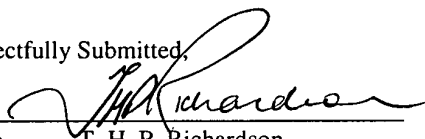
I hereby certify that this paper or fee is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, DC 20231, on the date indicated below:

Date of deposit: **April 26, 2002**

Name (printed): **T. H. P. Richardson**

Signature: 

Respectfully Submitted,


 Name T. H. P. Richardson
 Tel. No. 650-854-6304
 Fax No. 626-795-6321
 Address Sheldon and Mak
 225 South Lake Avenue
 Suite 900
 Pasadena, CA 91101